

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF TRANSPORTATION**



**49 U.S.C. SECTION 5310 CAPITAL GRANT
ASSISTANCE
TO PRIVATE NONPROFIT ORGANIZATIONS
TO PROVIDE TRANSPORTATION SERVICES
FOR ELDERLY PERSON AND PERSON WITH DISABILITIES**



**A GUIDE TO PROPOSAL
SUBMISSION PROCEDURES
FISCAL YEAR 2010**

**DISTRICT DEPARTMENT OF TRANSPORTATION
PROGRESSIVE TRANSPORTATION SERVICE ADMINISTRATION
MASS TRANSIT DIVISION
DECEMBER 2009**

GENERAL INSTRUCTIONS

Part I (Selection Submittal) of the application contains various requirements that must be met in order for your organization's application to be considered by the Selection Committee.

SUBMIT ONLY THE ORIGINAL OF PART I.

Part II of the application contains information that will be circulated to a Selection Committee for their review, scoring and selection.

SUBMIT THE ORIGINAL AND FIVE (5) COPIES OF PART II.

THE DEADLINE FOR SUBMITTING APPLICATIONS THIS YEAR IS APRIL 2, 2010.

Submit your application with the above noted copies to:

**Mr. Aaron Overman
Program Manager
District Department of Transportation
Mass Transit Administration
2000 14th Street, N. W. – 5th Floor
Washington, D.C. 20009**

Mr. Overman's telephone number is (202) 673-1736. Questions or concerns may also be directed to Ms. Joann Bassett-Lowe, Transportation Specialist, at (202) 673-1743.

APPLICATION SUBMITTAL SCHEDULE

DECEMBER 4, 2009

- Program Announcements mailed to prospective applicants.

JANUARY 15, 2010

- Recommended date for publishing public notice of application; and
- Recommended date for mailing letters of notification of application to existing private providers.

FEBRUARY 12, 2010

- Recommended date for submission of alternate proposals by private providers.

FEBRUARY 26, 2010

- Recommended date for responses by applicant to private providers on their alternate proposals.

MARCH 1-12, 2010

- Rebuttal period for private providers.

APRIL 2, 2010

- Deadline for submission of applications to the District Department of Transportation.

PART I

I. INTRODUCTION

Purpose of the Federal Grant Program, Eligibility and General Requirements

Federal grant funds awarded under the 49 U.S.C. Section 5310 program of the Federal Transit Administration provides financial assistance for purchasing capital equipment to be used to transport elderly persons and persons with disabilities. Eligible capital equipment purchases may include:

- buses, vans, sedans, station wagons and other paratransit vehicles; and
- wheelchair lifts and restraints.

Under the federal legislation that established this program, private nonprofit corporations are eligible to receive these grant funds. The grant provides 80 percent of the cost of the equipment purchased. The remaining 20 percent must be provided in certified check by the applicant organization from **non-federal sources**. The funds are intended to help provide accessible transportation service for elderly persons and persons with disabilities where existing service is unavailable, insufficient, or inappropriate.

Meal delivery to homebound persons is allowed if the meal delivery services do not conflict with the provision of transit services or result in a reduction of service to transit passengers.

Section 5310 funds may not be used to support services that compete with public transit or private-for-profit providers, or to provide transportation for school children. The program is subject to certain standard requirements of federal programs including Title VI Civil Rights, Minority Business Enterprise, Equal Employment Opportunity, Nondiscrimination on the Basis of Handicap, and all applicable Office of Management and Budget Requirements.

The Mayor has designated the District Department of Transportation (DDOT) as the administering agency for the District of Columbia. DDOT is hereby requesting proposals from interested private, nonprofit organizations and will be submitting an "umbrella" application to the Federal Transit Administration (FTA) for up to approximately \$321,700 allocated for Fiscal Year 2010.

Applicant organizations must demonstrate experience or thorough planning for providing transportation services to elderly persons and persons with disabilities. Applicants must be able to provide 20 percent of the purchase price of service vehicles and/or other eligible equipment to match funds provided by the FTA grant. ***Applicant organizations must also provide all tag and title fees which includes 7 percent of the actual purchase price of the vehicle(s) in excise tax to the D.C. Bureau of Motor Vehicle Services for titling the vehicle in the name of the organization. This amount is payable upon delivery of the vehicle.*** The organizations must be able to assume full responsibility for the operation, maintenance and liability coverage the vehicle(s)/equipment requires throughout the equipment's useful life.

DDOT will place a lien on the ownership of this vehicle by the subrecipient for the length of its anticipated useful life. This lien is necessary to assure greater D.C. government control on the ownership and operation of vehicles funded with Federal assistance. The anticipated useful life of vehicles is defined as follows: (a) for sedans, station wagons, and vans, four years from the date of delivery to the subrecipient or 100,000 miles of operation, whichever comes first; and (b) for buses,

five years from the date of delivery to the subrecipient or 150,000 miles of operation, whichever comes first. At the end of this period, full legal title will be transferred to the subrecipient. In all other respects, the subrecipient's ownership of the vehicle will be unaffected by this lien.

DDOT will evaluate proposals for the urgency and relevance of the proposed service in meeting local needs and the extent that it interfaces with existing public and private transit and paratransit services. Proposals should, to the extent possible, reflect cooperative planning among several service organizations to make the most efficient use of available funds. A copy of the evaluation criteria, further information on eligibility and procedural requirements, and instructions for completing proposal forms follow.

With the exception of the firm date indicated in Item 1, the application process cycle is approximately as follows:

- | | |
|---|----------------|
| • Private Nonprofit Application Submitted | April 2, 2010 |
| • D.C. Grant Application Submitted to FTA | June 2010 |
| • Federal Grant Approval | August 2010 |
| • D.C. Public Works Awards Announcements | September 2010 |
| • Procurement | |
| • Advertise | Nov. 2010 |
| • Delivery | Nov/Dec 2011 |

II. DISTRICT OF COLUMBIA CRITERIA FOR EVALUATION AND SELECTION OF PROPOSALS BY PRIVATE NONPROFIT ORGANIZATIONS FOR FTA SECTION 5310 FUNDS

All completed applications from eligible organizations are reviewed by committee and scored on four criteria. The maximum possible score for each criterion is 10 points. The criteria are as follows:

(1) Extent and Urgency of Local Needs

- Proposal's relevance and consistency with other government funded and private transit and paratransit programs.
- The transportation needs to be met by the proposed project.
- The urgency of these transportation needs and the benefits that will accrue to elderly persons and/or persons with disabilities because of this project.

(2) Experience and/or Performance Potential

- Degree to which service plan provides for the fullest possible utilization of the requested vehicle(s) as reflected in the thoroughness of the applicant's transportation plan, i.e., ridership projections, trip purposes, miles and hours of operation, etc.

(3) Coordination and Cooperation

- The degree to which applications reflect cooperative planning and coordination by several organizations so as to make the most efficient use of available funds.

(4) Fiscal and Managerial Capability

- The capability of the applicant to assume full responsibility for the operation, maintenance, and liability insurance coverage of the vehicle(s).
- The applicant's ability to maintain and operate the equipment as well as the ability to provide proper amounts of insurance for the life of the equipment.
- The applicant's reasonable assurance of the existence of funds for the required 20 percent matching share.
- The capacity of the organization for providing an efficient service.

(5) Technical Capacity

- The degree to which the applicant demonstrates adequate:
 - Staffing levels, staff training and experience
 - Level of documentation of procedures
 - Ability to submit required reports correctly and on time
 - Ability to maintain project equipment
 - Ability to comply with FTA state requirement

III. GENERAL INFORMATION

Listed below are the eligibility and procedural requirements developed for this program pursuant to Federal and District policies. These requirements should be carefully reviewed, since failure to comply with one or more of them could automatically disqualify your proposal for financial assistance.

- To avoid financial burden on any one organization, multiple-agency proposals are not only acceptable but encouraged.
- Only private nonprofit organizations which serve the District of Columbia are eligible for this program. A copy of your Certification of Incorporation in D.C. and a copy of your Internal Revenue Service tax exemption letter [Section 501(C)(3)] must accompany each proposal.
- On approved proposals, the subrecipient organizations must provide 20 percent of the total project cost in a certified check. The Federal Transit Administration (FTA) will provide the remaining 80 percent. The use of Federal funds as the 20 percent matching share is not allowed.
- Prospective subrecipient organizations submitting proposals for the capital assistance grant program must provide service within the District of Columbia. The United States Department of Transportation reserves the right to adjudge whether the prospective subrecipient organization is, in fact, providing the prescribed services within the approved area.
- Federal guidelines require that each prospective subrecipient organization shall obtain individual sign-offs from each known public (Washington Metropolitan Area Transit Authority [WMATA]) and private transit and paratransit operators in the area stating that they are not providing and are not prepared to provide services to meet the special needs of elderly persons and persons with disabilities to be served by your proposal. Each application shall include copies of the operator sign-offs, and a certified copy of the public notice and the comments received thereon. These endorsements reaffirm the intent of the legislation which states, ". . . grants to private nonprofit corporations and associations for the specific purpose of assisting them in providing transportation services meeting the special needs of elderly persons and persons with disabilities for whom mass transportation services planned, designed and carried out . . . are unavailable, insufficient or inappropriate"
- Subrecipients chosen to participate in the program must enter into a written agreement with the District of Columbia. The financial interest of FTA in vehicles and equipment (80 percent) expires at the end of their anticipated useful life. At the end of the useful life of vehicles, FTA's 80 percent interest is terminated, and the vehicles/equipment become the property of the private nonprofit organization with no obligation to refund any amount to FTA. DDOT will monitor vehicles and related equipment for the duration of its use in the intended purpose of the program.
- To insure continued use of the equipment for its intended purpose, the subrecipient will be required to keep satisfactory records with regard to the use of vehicles and related equipment, and to submit to DDOT upon request such information as is required in order to assure compliance with the requirements of the Section 5310 capital grant assistance program. DDOT and FTA shall have the right to conduct periodic inspections for the

purpose of confirming proper use and maintenance of the equipment.

- Vehicles and equipment acquired by Section 5310 organizations must be available for use by the general elderly and disabled public. In addition, they may be used by other social service institutions or the general public if such use is incidental to the primary purpose of the vehicle by elderly persons and persons with disabilities.
- Purchase will be made through competitive bidding in accordance with the established procedures of the District of Columbia Government.

IV. INSTRUCTIONS FOR SUBMITTING PROPOSALS

Section IV provides guidance for completing the application.

(A) - Exhibit A: Title Page

Exhibit A provides a suggested format for the title page. Supply your own title page with the necessary information, including the name of your organization and the date of proposal preparation.

(B) - Exhibit B: Formal Letter of Submission

Exhibit B provides a suggested format for a letter of submission from you, the prospective subrecipient organization(s), to the District Department of Transportation (DDOT). Note that it should be on your organization's letterhead stationery. This letter should be signed by the president or the person legally authorized to make transactions for the organization.

Also, be certain that you have attached certification of your organization's incorporation.

EXHIBIT A

PROPOSAL SUBMISSION

of the

(PROSPECTIVE SUBRECIPIENT ORGANIZATION)

for FY2010

MASS TRANSPORTATION CAPITAL IMPROVEMENT

49 U.S.C. SECTION 5310 GRANT

AS PROVIDED IN THE FEDERAL TRANSIT ACT OF 1964

(Date)

EXHIBIT B

(PROSPECTIVE SUBRECIPIENT ORGANIZATION LETTERHEAD)

(Date)

Aaron Overman
Grant Program Manager
District Department of Transportation
Mass Transit Administration
2000 14th Street, N. W. – 5th Floor
Washington, D.C. 20009

Dear Mr. Overman:

The **(Prospective Subrecipient Organization)** submits a proposal for a grant of _____ to assist in financing a capital improvement project under Section 5310 of the Federal Transit Act. The proposed project consists of the purchase of **one** new **(number)**-passenger air-conditioned vehicle and related equipment.

(Describe briefly your clientele and the services which you provide.)

The data submitted with this proposal are true and correct.

Sincerely,

(Title)

C - Preparation of Application for Capital Assistance

Item I - General Information: Supply all information requested.

Item II - Project Justification: In this item, you are asked to describe the benefits to be derived from this project, including the benefits to the individual users, the benefits to the community, etc. (Attach additional sheets as necessary.)

This item should also describe what transportation is now being provided by the proposed subrecipient organization for elderly persons and persons with disabilities and what plans (if any) exist to combine these services with each other, or with other organizations.

This item should also identify the proposed project's immediate and long-range impact upon maintaining or increasing potential ridership. There must be evidence of some significant number of continuing riders under current conditions.

Item III - Specification and Estimated Budget for Transportation Project: This item contains a table that presents the estimated net project cost, the amount of the requested Federal grant (80 percent of net project cost), and the amount of local certified check contribution (20 percent of net project cost).

Other equipment should be listed separately (itemized) with its cost estimate and detailed description of each item.

Item IV - Fiscal and Managerial Certification: Authorized organization official must sign and date.

Item V – Technical Capacity Certification: Authorized organization official must sign and date.

Item VI - Assurance of Title VI Compliance: Authorized organization official must sign and date.

Item VII – Assurance of Compliance with FTA Charter and School Bus Requirements: Authorized organization official must sign and date.

Item VIII - Maintenance Certification: Authorized organization official must sign and date.

Item IX - Verification of Data Submitted: Authorized organization official must sign and date.

Item X – Assurance of Nondiscrimination on the Basis of Disabilities: Authorized organization official must sign and date.

SUMMARY

In summary, your proposal should consist of Exhibits and Items as follows:

Part I

1. Title Page (Exhibit A)
2. Formal letter of submission (Exhibit B)
3. Certification of Incorporation (Attached to Exhibit B)
4. Application for Capital Assistance
5. Signed and Dated Additional Certifications and Assurances

Please submit the original and five (5) copies of the proposal arranged in the above order by April 2, 2010 not later than 4:15 P.M.

Part II

1. Certified public notice of your application
2. Completed list of private transit operators contacted on the form provided
3. Sample letter sent to contact existing private transit operators
4. Copies of each Private Operator Proposal Form, if any, received from private transit operator
5. Letter of approval from WMATA
6. Copies of each letter sent to your organization accepting or rejecting your proposed application and the Private Operator's Proposal Form
7. Copies of rebuttals received from operators where proposals were rejected, or any other written comments
8. Documentation of the reasons for selecting one proposal over another, if applicable

Please submit **only the original** of Part II, with copies of your Part I, not later than 4:15 P.M. on April 2, 2010 to:

Mr. Aaron Overman
Program Manager
District Department of Transportation
Mass Transit Administration
2000 14th Street, N.W. – 5th Floor
Washington, D.C. 20009

**APPLICATION FOR CAPITAL ASSISTANCE
UNDER SECTION 5310
OF THE
FEDERAL TRANSIT ACT
FOR
PRIVATE, NONPROFIT ORGANIZATIONS PROVIDING
TRANSPORTATION SERVICES FOR ELDERLY PERSONS
AND PERSONS WITH DISABILITIES**

Name of Applicant: _____

I. General Information

| Legal Name of Applicant Organization: _____ Address: _____ Telephone: _____ | | | | | | | | | | | | | | | | | | | |
|---|---------------------------|----------|--------------|----------|---------------------|----------|-------------------------------|----------|---|-------|---------------------------------------|-------|-------------------------------------|-------|----------------------------------|-------|-----------------|-------|--|
| Project Director – Name: _____ Title: _____ | | | | | | | | | | | | | | | | | | | |
| Geographic Area Served: _____ | | | | | | | | | | | | | | | | | | | |
| <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Type of Vehicle Requested</th> <th style="text-align: left; border-bottom: 1px solid black;">Category</th> </tr> <tr> <td style="border-bottom: 1px solid black;">Sedan</td> <td style="border-bottom: 1px solid black;">_____</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Station Wagon</td> <td style="border-bottom: 1px solid black;">_____</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Standard 7-passenger Mini-Van</td> <td style="border-bottom: 1px solid black;">_____</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Standard 15-passenger Van</td> <td style="border-bottom: 1px solid black;">_____</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Small Bus, up to 8-seat & 2-w.c. pos.</td> <td style="border-bottom: 1px solid black;">_____</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Mid-Size Bus, 12-Seat & 2-w.c. pos.</td> <td style="border-bottom: 1px solid black;">_____</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Large Bus, 16-seat & 2-w.c. pos.</td> <td style="border-bottom: 1px solid black;">_____</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Other Equipment</td> <td style="border-bottom: 1px solid black;">_____</td> </tr> </table> | Type of Vehicle Requested | Category | Sedan | _____ | Station Wagon | _____ | Standard 7-passenger Mini-Van | _____ | Standard 15-passenger Van | _____ | Small Bus, up to 8-seat & 2-w.c. pos. | _____ | Mid-Size Bus, 12-Seat & 2-w.c. pos. | _____ | Large Bus, 16-seat & 2-w.c. pos. | _____ | Other Equipment | _____ | Estimated Number of Clients Within the Following Groups Who Receive Any of Your Agency's Services <div style="text-align: right;"> Black _____ Hispanic _____ Asian of Pacific Islander _____ Total Agency Clientele _____ </div> |
| Type of Vehicle Requested | Category | | | | | | | | | | | | | | | | | | |
| Sedan | _____ | | | | | | | | | | | | | | | | | | |
| Station Wagon | _____ | | | | | | | | | | | | | | | | | | |
| Standard 7-passenger Mini-Van | _____ | | | | | | | | | | | | | | | | | | |
| Standard 15-passenger Van | _____ | | | | | | | | | | | | | | | | | | |
| Small Bus, up to 8-seat & 2-w.c. pos. | _____ | | | | | | | | | | | | | | | | | | |
| Mid-Size Bus, 12-Seat & 2-w.c. pos. | _____ | | | | | | | | | | | | | | | | | | |
| Large Bus, 16-seat & 2-w.c. pos. | _____ | | | | | | | | | | | | | | | | | | |
| Other Equipment | _____ | | | | | | | | | | | | | | | | | | |
| Application Budget/Estimated <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black;"><u>Project Cost</u></td> <td></td> </tr> <tr> <td style="border-bottom: 1px solid black;">Total Budget</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Federal Funds (80%)</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Local Funds (20%)</td> <td style="text-align: right;">\$ _____</td> </tr> </table> | <u>Project Cost</u> | | Total Budget | \$ _____ | Federal Funds (80%) | \$ _____ | Local Funds (20%) | \$ _____ | Number of Agency Clientele Who Are Disabled/Elderly and Who Will Be Served by These Requested Vehicles/ Equipment: <div style="text-align: right;"> Elderly: _____ Disabled: _____ </div> | | | | | | | | | | |
| <u>Project Cost</u> | | | | | | | | | | | | | | | | | | | |
| Total Budget | \$ _____ | | | | | | | | | | | | | | | | | | |
| Federal Funds (80%) | \$ _____ | | | | | | | | | | | | | | | | | | |
| Local Funds (20%) | \$ _____ | | | | | | | | | | | | | | | | | | |

Types of Service to be Provided (% of Use):

_____ Demand responsive (dial-a-ride)

_____ Fixed route

_____ Other _____ (specify)

Vehicle is Intended to:

_____ Replace existing service

_____ Expand existing service

_____ Start new service

Name of Applicant: _____

II. Project Justification: (Attach additional sheets for each item as necessary.)

- A. Describe your agency's overall program, listing the services it provides, the population types (e.g. elderly, disabled, low-income, etc.) and numbers affected by each of your services.

- B. How does your overall program as described serve elderly and disabled persons?

- C. Is your agency now providing, or has it ever provided, transportation for elderly and disabled persons?
Yes ____ No ____ if yes, describe the purpose of the service, the frequency (once a week, twice a day, etc.) with which it has been provided, and for how many years it has been provided.

Name of Applicant: _____

II. Project Justification: (Continued)

D. Describe the transportation services to be provided with these requested funds. Note the purpose, the estimated number of persons served and the service frequency. Identify prospective clientele; be specific (e.g., low-income, elderly, disabled, severely retarded children, etc.).

E. Describe any plans to combine the outlined transportation services and how this project will coordinate with existing transportation services. Coordination of your organization's transportation can take many forms. You might obtain fuel and oil through a joint purchase arrangement with another provider. You might obtain maintenance for your vehicles under an agreement with another operator. You might refer your clients to other operators for trips that you cannot provide, or contract transportation service to another agency in your organization's slack time, or lease unused vehicle time to another provider. Consider all such arrangements for sharing trips, passengers, vehicles, supplies, staff, etc. that you may have when answering this item. (Attach purchase of service and interagency agreements, or documentation of unsuccessful coordination efforts). If your agency has no plans to coordinate services, please explain why not.

Name of Applicant: _____

III. Specifications and Estimated Budget for Requested Vehicles and Other Equipment:

- All vehicles will have, as standard equipment, air conditioning and AM/FM radios.
- All vehicles will be painted white in color.

| Vehicle Description/Type | Estimated Unit Cost | Number Requested | Total Estimated Cost |
|--|---------------------|------------------|----------------------|
| Standard 4-Door Sedan | \$18,000 | | |
| Standard 4-Door Station Wagon | \$20,000 | | |
| Standard 7-Passenger Mini-Van | \$23,000 | | |
| Standard 15-Passenger Van | \$25,000 | | |
| Small Bus with Wheelchair Lift; up to 8-passenger seats; and 2-wheelchair positions; or up to 12-passenger seats only. | \$42,000 | | |
| Mid-Size Bus Wheelchair Lift; 12-passenger seats, and 2-wheelchair positions; or up to 24-passenger seats only. | \$47,000 | | |
| Large Bus with Wheelchair Lift; 16-passenger seats, and 2-wheelchair positions; or up to 24-passenger seats only. | \$55,000 | | |
| Other Equipment Give Description and Specifications. | | | |
| Total Quantity and Estimated cost of Equipment | | | |

Estimated Project Cost/Application Budget \$ _____
Federal Grant Requested (80% of Cost) \$ _____
Local Contribution (20% of Cost) \$ _____

Name of Applicant: _____

Project Justification: (Continued)

Indicate specific sources of funds (public and private) and amounts to be used as local (non-federal) contributions to Federal grant:

Indicate specific sources and amounts of the funds to be used for project operating expenses:

| | Source | Amount |
|------------------------|--------|--------|
| Year 1 | | |
| | | |
| | | |
| | | |
| | | |
| Year 2 | | |
| | | |
| | | |
| | | |
| | | |
| Year 3 | | |
| | | |
| | | |
| | | |
| | | |
| Year 4 | | |
| | | |
| | | |
| | | |
| | | |
| Year 5 (if applicable) | | |
| | | |
| | | |
| | | |
| | | |

Estimate annual operating expenses:

| <u>Expense Type</u> | <u>Year 1</u> | <u>Year 2</u> | <u>Year 3</u> | <u>Year 4</u> | <u>Year 5, if applicable</u> |
|--------------------------------|---------------|---------------|---------------|---------------|------------------------------|
| Drivers' Salaries | | | | | |
| Maintenance and Repairs | | | | | |
| Fuel | | | | | |
| Insurance | | | | | |
| Other | | | | | |
| Total | | | | | |

Vendors of new vehicles will be required to certify that the vehicles will comply with air pollution criteria currently established by the Environmental Protection Agency.

IMPORTANT PROCUREMENT INFORMATION

It must be understood that vehicles to be procured under this program will be purchased through competitive bidding in accordance with established State and Federal procedures. The District of Columbia will procure the vehicles and equipment on behalf of the private nonprofit organizations.

IV. Fiscal and Managerial Capability Certifications:

I certify that, based on my experience with the _____, and a review of the organization's records, that the organization has the requisite fiscal and managerial capability to operate and maintain Section 5310 funded equipment throughout the equipment's useful life.

Signed _____ Date _____
Chairperson, or Official of the Organization
Other than the Operating Director

V. Technical Capacity Certification

I certify that, based on my experience with the _____, and a review of the organization's records, that the organization has the requisite technical capacity to carry out the proposed transportation service. This includes, but is not limited to:

- Staffing levels, staff training and experience
- Level of documentation of procedures
- Ability to submit required reports correctly and on time
- Ability to maintain project equipment
- Ability to comply with FTA state requirements

Signed _____ Date _____

Chairperson, or Official of the Organization
Other than the Operating Director

VI. Assurance of Compliance with Title VI of the Civil Rights Act of 1964:

Name of Applicant:

HEREBY AGREES THAT it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by the U. S. Department of Transportation, to the end that, in accordance with Title VI of the Act, no person in the United States shall, on the ground of race, color, sex or national origin, be excluded from participation in, be denied the benefits or, or be otherwise subjected to discrimination under any program or activity for which the Subrecipient receives Federal financial assistance from the Department under Federal transit programs, and HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this agreement including but not limited to the plain-view display informing citizens of their rights under Title VI, whom to contact for additional information on Title VI protections, and how to file a Title VI Complaint inside the real property or structure provided with the aid of Federal financial assistance.

If a real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Subrecipient by the Department under Federal transit programs, this assurance shall obligate the Subrecipient, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is so provided this assurance shall obligate the Subrecipient for the period during which it retains ownership or possession of the property. In all other cases, this assurance shall obligate the Subrecipient for the period during which the Federal financial assistance is extended to it by the Department under Federal urban transit programs

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Subrecipient by the Department under Federal transit programs. The Subrecipient recognizes and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Subrecipient, its successors, transferees, and assignees. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Subrecipient.

Signed by _____
(President, Chairman of Board, or Comparable Authorized Official)

Date _____

**VII. Assurance of Compliance with FTA School and Charter Bus Requirements
49 CFR Part 605; 49 USC 5323 (f)**

Name of Applicant:

HEREBY GIVES ASSURANCE THAT it will not engage in charter bus operations except on an incidental basis and when one or more of applicable exceptions for urban areas set forth in the charter service regulation at 49 CFR 604.9 (b) applies or school bus operations exclusively for the transportation of students and school personnel in competition with private school bus operators.

Signed by _____
(President, Chairman of Board, or Comparable Authorized Official)

Date _____

VIII. Maintenance Certification

| |
|---|
| Name of Applicant: |
| <u>Maintenance Certification</u> FTA, realizing the potential problems of operability, safety and reliability of the vehicles if they are not properly maintained, has instituted a requirement that all Section 5310 subrecipients must certify that vehicles purchased under the program will be maintained in accordance with the detailed maintenance and inspection schedules provided by the manufacturer. Failure of a private nonprofit organization to maintain vehicles in accordance with their certification will preclude additional FTA assistance to that organization. I certify that I understand FTA maintenance and inspection requirements and this agency will comply. |
| Signed by _____ (President, Chairman of Board, or Comparable Authorized Official) Date _____ |

Name of Applicant: _____

IX. Verification of Data Submitted

I am an officer of the applicant corporation herein and am authorized to make this this verification on its behalf. The statements in the foregoing document are true of my own knowledge.

I declare that the foregoing is true and correct.

Executed on _____ at _____
Date City and State

Signature of Corporate Officer

Title

X. Assurance of Nondiscrimination on the Basis of Disabilities

Name of Applicant:

In accordance with section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. 12112, the applicant agrees that it will comply with the requirements of U.S. Equal Employment Opportunity Commission, "Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act," 29 C.F. R. Part 1603, pertaining to employment Of persons with disabilities. In addition, the applicant agrees to comply with any implementing requirements FTA may issue.

Signed by _____
(President, Chairman of Board, or Comparable Authorized Official)

Date _____

PART II

PROCEDURES FOR NOTIFYING ALL TRANSPORTATION PROVIDERS

Summary

To insure that the Section 5310 Program does not fund projects that will duplicate or compete with existing services, all transportation providers in the proposed area of the Section 5310 grant application, must be notified of grant submittals in writing. All providers in the proposed service area must be informed of the proposed service to determine whether they can provide the service in an appropriate manner and at a sufficient level. This notification must be postmarked, using regular mail, in a time period sufficient for transportation providers to inspect the grant application and comment upon the intended service prior to submission to DDOT. All such comments must be included as part of the application.

The following procedures and schedules must be followed in notifying all existing transportation providers in your agency's service area.

1. **Public Notice - Should be Published by JANUARY 1, 2010**

Your organization must publish a public notice in a citywide newspaper briefly describing the transportation services you propose to provide with the vehicle(s) for which you are applying in this application. Publication for one day will suffice.

The sample notice form may be found on page 30. This notice should be published no later than JANUARY 15, 2010. This will give your agency sufficient time to respond to any comments received. Obtain a certified copy of your public notice and include it in your Section 5310 application to DDOT.

2. **Notify Providers in Writing - Should be Mailed by JANUARY 15, 2010**

Your organization must contact existing transportation providers by mail. You must send each operator in your area a letter and Attachments A through D. Sample letters may be found on pages 31-39. Send these letters on your organization's letterhead stationery. The following types of operators must be notified:

- Washington Metropolitan Area Transit Authority (WMATA), and
- Private transit and paratransit operators in the D.C. area.

For your convenience, a list of private operators is provided in the Appendix.

3. **Receipt of Proposals from Operators - by FEBRUARY 12, 2010**

All alternative proposals should be submitted by existing operators to your organization by FEBRUARY 12, 2010.

4. **Review, Accept, Reject Proposals from Operators - Should be Completed by FEBRUARY 26, 2010**

When the existing operators return their proposals to you, review them carefully to determine which, if any, of the proposals submitted could provide service that would be available, sufficient, and appropriate to meet the transportation needs your organization seeks to provide.

- a. Reject their Proposal: You must then advise the operator, in writing, that their proposal has been rejected, and must include the reasons based upon the criteria of availability, appropriateness, and sufficiency; or
- b. Accept their Proposal: You may choose to accept a private operator's proposal using the Section 5310 vehicle for which you are applying under a lease agreement with the private operator. In any case in which a vehicle is to be leased, responsibility for the vehicle and ultimate control over its use must remain with the applicant organization. If you choose one of several private operator's proposals for a lease type arrangement, you must document the reasons for selecting one over the others.

5. Disputes or Objections - Should be Resolved by March 19, 2010

If the private operator includes objections in his written comments to the application on the basis that the project would substantially harm his private transit operation, he should state his specific concerns in writing to you.

Should such concerns be stated in accordance with the above, you will set up a meeting or meetings with the private operator to discuss these concerns. The meeting or meetings will be open and minutes taken.

After the meeting or meetings, you, the local applicant, will:

- a. Submit the application as originally prepared but including the provider's objections, written comments received from the operator, and minutes of the meeting or meetings held; or
- b. Submit the application as amended after consideration of the comments and concerns raised by the provider.

The decision made by the local applicant as a result of this process shall be final. The provider has the right to challenge the decision made by the local applicant on the grant application to DDOT and FTA. Review by DDOT will be limited to violations of D.C. and/or local applicant's protest procedures or failure to review an objection. DDOT will not review procedural protests prior to the disposition of objections at the local level.

FTA will review objections only upon procedural grounds that the local applicant's planning process has not established procedures for the maximum feasible participation of private providers, or that local procedures were not followed, or that the local process does not provide for fair resolution of disputes. FTA will not review procedural protests prior to the disposition of objections at the D.C. and local levels.

6. Complaints

Service Complaints

Complaints regarding involvement of providers in the local project development process and in the provision of service must be submitted in writing to the local applicant. You will arrange a meeting within fifteen (15) days after receiving the written comments with the provider to discuss these concerns. This meeting will be open to the public and minutes will be taken. All written comments, correspondence and meeting minutes must be submitted to DDOT.

The decisions made by the local applicant as a result of this meeting are final; however, the private provider has the right to challenge the decision made by the local Section 5310 applicant to both DDOT and FTA. Review by DDOT and FTA will be the same as outlined above under "Disputes or Objections."

DDOT, in its capacity as administrator of the Section 5310 Program, will review the application to ascertain that all appropriate procedures have been followed and program requirements addressed.

Include in Your Application

To satisfy D.C. and federal requirements pursuant to private sector participation, this information, in addition to the notification procedures previously detailed, must be included in your application:

- a. The current participation of private providers in Section 5310 supported services;
- b. Certified copy of the public notice;
- c. All efforts to notify, in writing, private providers of the intended service and the grant submittal for capital funds;
- d. A dated copy of the letters sent to existing private operators advising them of your agency's intent to operate the proposed service and a certified list of all operators contacted;
- e. Copies of all private operator proposals or comments, if any, offered for consideration, and copies of all replies by your agency to these proposals;
- f. If applicable, documentation of the reasons for selecting one proposal over others;
- g. If applicable, copies of letters to private operators rejecting their proposals (explain reasons for rejection);
- h. Locally established criteria for making public/private service decisions; and
- i. Any complaints received from private operators and how they were resolved.

SAMPLE OF PUBLIC NOTICE TO BE PUBLISHED
IN AT LEAST ONE NEWSPAPER OF CITYWIDE CIRCULATION

The (Your Organization Name) is in the process of submitting a proposal for a capital assistance grant to implement and expand our program to provide transportation services to elderly and/or disabled persons in the District of Columbia.

(Brief Description of Proposal)

The detailed service plan is available at (location of your offices) from (hours and dates). Any private transit or paratransit operator wishing additional information or desiring to submit comments or proposals in relation thereto, should contact this agency within seven (7) days of this publication date. Further information may be obtained by calling (your agency telephone number).

SAMPLE OF LETTER TO THE
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

Mr. Christian Kent, Director
Office of ADA and Paratransit
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, D.C. 20001

Dear Mr. Director:

The (Your Organization Name) is in the process of submitting a proposal for a capital assistance grant to implement and expand our program to provide Transportation Services to elderly persons and persons with disabilities in the District of Columbia. This grant is sponsored by the Federal Transit Administration (FTA) and is being administered by the District Department of Transportation.

A requirement of FTA is a letter of approval from the local public transit operator (WMATA) which must be included in our proposal. This endorsement reaffirms the intent of the legislation which states, "grants to provide private nonprofit corporations and associations for the specific purpose of assisting them in providing transportation services meeting the special needs of elderly persons and persons with disabilities for whom mass transportation services planned, designed and carried out.....are unavailable, insufficient or inappropriate."

Please prepare a letter, using the suggested format of the enclosed sample, and return it to this organization no later than FEBRUARY 12, 2010. For your information, we have included our project justification.

Sincerely,

(Your Name)

Enclosures: Sample letter of approval
Project Justification

SAMPLE OF LETTER FROM THE
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

Dear (Prospective Subrecipient Organization):

The Washington Metropolitan Area Transit Authority does/does not object to your proposal to the District Department of Transportation for consideration for award of a U.S. Department of Transportation capital assistance grant.

We understand the funds will be used for the purchase of vehicles which will be operated and maintained by your organization to provide transportation services for your elderly and disabled clients in the District of Columbia.

Your project will/will not conflict with our regularly scheduled transportation service.

LIST OF PRIVATE TRANSIT AND PARATRANSIT OPERATORS CONTACTED

Letters requesting comments on the proposed project were sent to each of the transit and paratransit operators, both public and private, listed below who are known to be providers of transportation in our service area.

| <u>List of Operators Contacted</u> | <u>Date</u> | <u>Comments Received*</u> |
|------------------------------------|-------------|---------------------------|
| 1. | | |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |

I certify that I have made a good faith effort to notify all private transit and paratransit operators in D.C., and that to my knowledge all private transit and paratransit operators have been contacted concerning the transportation service we propose to provide for elderly persons and persons with disabilities

Signed: _____ Date: _____
(President, Chairperson of Board
or Other Authorized Official)

* If comments are received, include copies in your application.

LETTER OF NOTIFICATION
TO BE SENT TO LOCAL TRANSIT AND PARATRANSIT OPERATORS
BY THE SECTION 5310 APPLICANT

Company Name
Address

Salutation:

The (Your Agency Name), a private, nonprofit organization located in the District of Columbia (D.C.), is applying to the U.S. Department of Transportation through the District Department of Transportation (DDOT) for financial assistance to aid in the purchase of (Description of Equipment) designed to meet the special needs of elderly persons and persons with disabilities. Eighty percent (80%) of the cost of this purchase is funded by the Federal Transit Administration under the provisions of 49 U.S.C Section 5310 (formerly Section 16) of the Federal Transit Act. The remaining twenty percent (20%) of the capital cost is to be provided by our organization. This program provides no funds for the operation or maintenance of these vehicles or equipment. These costs must be borne by the subrecipient organization. Funds available under this federal program are limited to private nonprofit organizations.

Federal guidelines require that all existing local transportation operators must be given an effective opportunity to compete in the provision of this service, should they so desire. It is not the intent of D.C., when making funds available to nonprofit agencies, to preclude possible participation by private operators. It is the desire of D.C. to effectively utilize available federal funds to improve the transportation services to elderly persons and persons with disabilities through projects sponsored by private, nonprofit organizations, where such services are currently unavailable, insufficient or inappropriate.

We have, therefore, enclosed for your information:

Attachment A: Procedures of D.C. to accommodate the participation of local transit providers.

Attachment B: Our agency's proposed Transportation Service Plan showing our operating information for these funds.

Attachment C: The Notification Form, which is to be completed by you to advise the our organization and D.C. that (a) you have no objections to our proposed service, (b) you have no objections but want to attach comments about our proposed service, or (c) you believe you can provide an appropriate service and wish to make your alternate proposal. This is to be submitted to our organization, with a copy to DDOT.

Attachment D: The Private Operator Proposal Form, which should be completed by any transportation provider wishing to compete in the provision of the proposed service for elderly persons and persons with disabilities. On the Proposal Form, the operator should describe its qualifications and associated costs for the provision of the service needed by the nonprofit organization. Please complete the Private Operator Proposal Form only if you are interested in providing the transportation services to elderly persons and persons with disabilities as defined and required by our organization. This is to be submitted to the

undersigned applicant.

Attachments C and D, if applicable, should be completed and returned to our offices by FEBRUARY 12, 2010.

If you should need any additional information on our service proposal, please contact us.

(Name and Title)

(Your Agency Name)

(Address and Telephone Number)

ATTACHMENT A

DISTRICT OF COLUMBIA, SECTION 5310 PROGRAM **GUIDELINES AND PROCEDURES FOR THE COMPETITIVE SELECTION** **OF** **TRANSPORTATION SERVICE PROVIDERS**

- A. The service proposed to be provided by the private operator must meet the needs and service requirements as defined by the applicant nonprofit organization in an available, sufficient and appropriate manner. All proposals from private operators should be submitted directly to the applicant nonprofit organization by FEBRUARY 12, 2010.
- B. The private operator should complete and submit the enclosed Notification Form (Attachment C) to the applicant, with a copy to DDOT, if necessary.
- C. The private operator should complete the enclosed Private Operator Proposal Form (Attachment D) detailing the alternate service and qualifications of the private operator and stating the associated costs for providing this service for the nonprofit organization. Attachment D is to be submitted to the applicant organization.
- D. The applicant nonprofit organization will carefully review and evaluate all proposals submitted by private operators to determine whether the transportation needs of elderly persons and persons with disabilities proposed to be served by the organization can be met in an appropriate, available and sufficient manner by one or more of the competitively submitted proposals. The applicant may either accept the proposal and so notify the operator or reject the proposal. In the event the applicant nonprofit organization decides the proposal as set forth by a private operator does not meet their service needs, they will so advise the operator by FEBRUARY 26, 2010, and submit the following with its application to DDOT.
 - 1. The alternative service proposal of the private operator.
 - 2. Specific justification as to why the service proposed by the private operator is unavailable, insufficient, or inappropriate to meet the special transportation needs of elderly persons and persons with disabilities to be served.
 - 3. A copy of the letter to the operator advising them of the nonprofit organization's decision.
- E. If the operator's proposal is rejected by the applicant agency, the operator will have seven (7) calendar days from the decision notice mailing date within which to provide a written rebuttal to the applicant to be included in its application for funds.

ATTACHMENT B

INSTRUCTIONS TO APPLICANT

Include with your letter to existing operators a copy of the transportation services to be provided with these requested funds as you have outlined in Part I, Section C (Project Justification), Part D on page 15. Mark it "Attachment B" in the upper right hand corner, as is done above.

ATTACHMENT C
NOTIFICATION FORM

(Name and Address of Section 5310
Applicant Organization)

(Salutation):

We have received notice of your program application. As a result of our review of the proposed Service Plan, we:

- a. _____ Do not object to the proposed service.
- b. _____ Do not object to the proposed service, but have attached comments regarding the service.
- c. _____ We believe our company can provide an appropriate, sufficient and available level of service, and we are enclosing our alternative service proposal.

Signature: _____
(Authorized Official)

Typed Name: _____
Title: _____

Company: _____

Date: _____

Return this form to the applicant agency.

If "c" above is checked, send a completed copy of this Notification Form and alternative service proposal to:

Mr. Aaron Overman
Program Manager
District Department of Transportation
Mass Transit Administration
2000 14th Street, N.W. – 5th Floor
Washington, D.C. 20009

(This sample letter is to be sent by the Section 5310 applicant to the private providers in the area of your proposed service.)

ATTACHMENT D

TRANSPORTATION OPERATOR PROPOSAL FORM

To: (Name of Private Nonprofit Organization Applying for Section 5310 Funds)

(Name of Operator), a private transportation provider in the area, is hereby submitting an alternative proposal for the provision of transportation for elderly persons and persons with disabilities as proposed by your organization.

DESCRIPTION OF ALTERNATIVE SERVICE PROPOSAL:

(Attach Description)

TYPE AND OWNERSHIP OF VEHICLES PROPOSED TO BE USED:

(Attach Description)

VEHICLE SAFETY FACTORS

(How often are vehicles inspected, maintained, etc.?)

DRIVERS' TRAINING AND QUALIFICATIONS:

(Describe any special training, particularly as it relates to the needs of elderly and disabled persons.)

COST TO NONPROFIT AGENCY

(Cost to be based on regular tariff)

Per Mile: \$ _____

Per Passenger: \$ _____

Per Hour: \$ _____

Total Cost of Proposed Service

Per Year \$ _____

INSURANCE

(Carried by existing operator)

(Name of Insurance Company)

Limits for Public Liability

\$ _____

Limits for Property Damage

\$ _____

Will vehicles be available in sufficient quantity to meet the service levels proposed by the nonprofit organization? Yes _____ No _____

Are vehicles equipped with a level changing device (i.e., lift or ramp to serve non-ambulatory persons?) Yes _____ No _____

Company Representative's Signature: _____

Company Representative's Name: _____

Name of Company: _____

Address: _____

Telephone Number: _____

KNOWN OPERATORS
IN THE DISTRICT OF COLUMBIA

Area Transportation

513 Oneida Street, N.E.
Washington, DC 20011

Metro Mediacab

213 Rittenhouse Street, N.W.
Washington, DC 20011

Battle's Transportation, Inc.

1360 Okie Street, N.E.
Washington, DC 20002

Murray's Transportation

711 Edgewood Street, N.W.
Washington, DC 20090

Beltway Transportation Service

8016 Marlboro Pike
Forestville, Md. 20747

P & T Transportation

230 49th Street, N.E.
Washington, DC 20019

E & H Transportation

P.O. Box 41132
Washington, DC 20018

Perkins Wheelchair Service

6020 Seventh Street, NW
Washington, DC 20011

Elrod Transportation Service

216 Rittenhouse Street, N.E.
Washington, DC 20011

Safe Transportation

7676 New Hampshire Avenue
Langley Park, MD

Harvey's Medivan Services

624 Galveston Place, S.E.
Washington, DC 20032

W & D Transportation

1217 Shepard Street, N.W.
Washington, DC

Jenkins Transportation Service

P.O. Box 75036
Washington, DC 20013

**Washington Area Metropolitan Area
Transit Authority**

600 5t St. NW
Washington, DC 20001

Jones Transportation

1342 South Capitol Street, S.E.
Washington, DC 20003

Wheelchair Mobile Transport

P.O. Box 12100
Silver Spring, MD 20908

Kenilworth Parkside Transportation

4419 Quarles Street, NE
Washington, DC 20019